

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICHAEL A. JACKSON, )  
Petitioner, ) CASE NO. C13-0110-RSL  
v. )  
JULIE A. SPECTOR, *et al.*, ) ORDER DISMISSING FEDERAL  
Respondents. ) HABEAS PETITION

14 This matter comes before the Court on the Report and Recommendation of the  
15 Honorable Mary Alice Theiler, United States Magistrate Judge. Judge Theiler recommends  
16 dismissing petitioner's petition for writ of habeas corpus because he is no longer in custody on  
17 the July 2005 conviction identified in the petition. In response to the Report and  
18 Recommendation, petitioner filed a new petition, complete with an application to proceed *in*  
19 *forma pauperis*, related to an October 2012 conviction. Dkt. # 11. Petitioner has also filed a  
20 motion requesting release from the King County Jail. Dkt. # 13.

Having reviewed the Report and Recommendation, petitioner's new submissions, and the remaining record, it is hereby ORDERED:

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(1) The Court adopts the Report and Recommendation.

(2) Petitioner's petition for writ of habeas corpus (Dkt. # 4) and this action are

DISMISSED with prejudice.

(3) This dismissal is without prejudice to petitioner's ability to file a new action seeking habeas relief regarding the October 2012 conviction.

(4) Petitioner's motion for release is DENIED.

(5) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED.

DATED this 19th day of June, 2013.

Mr S Lasnik  
ROBERT S. LASNIK  
United States District Judge

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